

Privacy Policy

Last Updated: October 25, 2017

The Harry Fox Agency LLC (“Company” or “we”) is concerned about privacy issues and wants you to be familiar with how we collect, use and disclose information. This Privacy Policy describes our practices in connection with information that we collect through Company’s online websites and applications (collectively the “Platform”), including without limitation any successor site(s) and applications(s) thereto. Contact information for the Company may be obtained at Company’s [Contact Page](#), and any reference herein to Company’s Contact Page means the page located above.

By accessing or using the Platform, or providing information to us in connection with the Platform, you acknowledge, on behalf of yourself and any publisher, licensee or other entity that you may represent, that we may use and disclose such information in accordance with this Privacy Policy. If you object or do not consent to our use and disclosure of such information in accordance with this Privacy Policy, or you do not have the authority to make such acknowledgement on behalf of such entity, please do not provide such information on or through the Platform (which may mean that you will be unable to use the Platform).

This Privacy Policy is the sole authorized statement of our practices with respect to the collection, usage and disclosure of information through the Platform; any summaries of this Privacy Policy, including those generated by third-party software or otherwise (such as “Platform for Privacy Preferences” or “P3P”) shall have no legal effect, are not binding upon us, do not supersede or modify this Privacy Policy, and shall not be relied upon in substitution for this Privacy Policy.

A. Updates to This Privacy Policy.

We may change this Privacy Policy at any time. Please take a look at the “*Last Updated*” legend at the top of this page to see when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we make the revised Privacy Policy available on or through the Platform. Your use of the Platform or the submission of any information through the Platform following such changes means that you accept the revised Privacy Policy.

B. Third Parties.

If you submit any information, including Personal Information, to any third party — for example, via a third-party software application or service, including any social media service, that is included in, available through or linked from the Platform — then such third party’s collection, use and disclosure of such information may be governed by its privacy policy, and will not be governed by our Privacy Policy. We recommend that you familiarize yourself with the privacy policies and practices of any such third parties.

THIS PRIVACY POLICY DOES NOT ADDRESS, AND WE ARE NOT RESPONSIBLE FOR, THE PRIVACY, INFORMATION OR OTHER PRACTICES OF ANY THIRD PARTY, INCLUDING ANY THIRD-PARTY SERVICE PROVIDERS, BUSINESS ASSOCIATES, AND ANY OTHER THIRD PARTY OPERATING ANY SOFTWARE APPLICATION OR WEBSITE THAT IS MADE AVAILABLE THROUGH THE PLATFORM OR TO WHICH THE PLATFORM CONTAINS A LINK. THE AVAILABILITY THROUGH THE PLATFORM OF ANY THIRD-PARTY SOFTWARE APPLICATION OR WEBSITE, OR THE INCLUSION ON THE PLATFORM OF ANY LINKS TO ANY SUCH APPLICATION OR WEBSITE, DOES NOT IMPLY ENDORSEMENT BY US OF THE APPLICABLE SOFTWARE APPLICATION OR WEBSITE.

C. Jurisdictional Issues.

The Platform is controlled by us from the United States; accordingly, this Privacy Policy, and our collection, use and disclosure of your information, is governed by the laws of the United States, and not by the laws of any country, territory or jurisdiction other than the United States. We do not represent or warrant that the Platform, or any functionality or feature thereof, is appropriate or available for use in any particular jurisdiction. Those who choose to download, access or use the Platform do so on their own initiative and at their own risk, and are responsible for complying with all local laws, rules and regulations. By downloading, accessing, using or submitting any information to the Platform, users from outside the United States acknowledge that the Platform is subject to laws of the United States, and consent to the transfer of their information to the United States and any other jurisdiction, which may provide a different level of data security than in their country of residence, and waive any claims that may arise under their own national laws.

D. Collection, Use and Disclosure of Personal Information.

Personal Information We May Collect

“Personal Information” is information that identifies someone as a specific individual. In addition to Personal Information, Other Information (as defined below) may be collected in connection with the Platform; the collection, use and disclosure of Other Information is addressed separately below, under the “*Other Information*” heading.

We and our third-party service providers may collect the following Personal Information:

- Name;
- Home address;
- Personal telephone number;
- Personal e-mail address;
- Social Security number;
- Individual Taxpayer Identification numbers;
- Personal bank account, credit card and debit card numbers; and
- Other personally identifiable information about you and third parties that you may choose to disclose (including by authorizing third parties to disclose) to Company and/or its third-party service providers, including by completing profile forms, completing applications, questionnaires or similar documents, communicating with customer service personnel, and otherwise interacting with Company and its third-party service providers.

Certain Personal Information is voluntary and not required to access or use the Platform; other Personal Information may be mandatory and required to access or use the Platform or certain portions of the Platform.

IF YOU SUBMIT ANY PERSONAL INFORMATION OF OR RELATING TO A THIRD PARTY (INCLUDING ANY INDIVIDUALS ASSOCIATED WITH PUBLISHERS OR LICENSEES) TO US OR OUR THIRD-PARTY SERVICE PROVIDERS IN CONNECTION WITH THE PLATFORM, YOU REPRESENT THAT YOU HAVE

THE AUTHORITY TO DO SO AND TO PERMIT US TO USE AND DISCLOSE SUCH INFORMATION IN ACCORDANCE WITH THIS PRIVACY POLICY.

How We May Use Personal Information

We and our third-party service providers may use Personal Information:

- To respond to your inquiries and fulfill your requests, such as to send newsletters to you, process your applications, complete your commercial transactions and otherwise operate the Platform-related products and services and the businesses of Company and its related legal entities.
- To send administrative information to you, including information regarding the Platform and changes to our terms, conditions and policies.
- To facilitate business transactions, business relationships and the resolution of disputes and other issues by, within or among Company, Company's related legal entities, publishers, licensees and others.
- To allow you to send and receive messages and invitations to and from other individuals, through or in connection with the Platform, and to send and receive such messages and invitations on your behalf.
- To help us improve the customer experience, including by learning more about your preferences to help personalize your experience with us.
- To send marketing communications to you that we believe may be of interest to you, unless you opt-out in accordance with the *Choices and Access* section below.
- For our business, administrative and informational purposes, including but not limited to quality assessment, data analysis, audits, developing and improving the Platform and new products and services, identifying usage trends and determining the effectiveness of our promotional campaigns.
- To protect the security or integrity of our businesses and Internet properties, including the Platform.
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our related legal entities; (f) to protect our rights, privacy, safety or property, or that of our related legal entities, service providers, members, you or others, including through credit-fraud protection and risk reduction; (g) at our discretion under emergency circumstances; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

How Personal Information May Be Disclosed

Personal Information may be disclosed:

- To our third-party service providers that may provide services such as hosting of the Platform, data analysis, IT services and infrastructure, customer service, e-mail delivery, auditing, information and identity verification, background checks, credit checks, payment processing and other similar services. Although we seek to restrict third-party service providers from using any Personal Information received from Company or through the Platform for any purpose other than providing services for Company and the Platform, please note that Company is not responsible for the privacy practices of any third parties, including any negligence or misconduct by any third parties that receive your payment card or other information.
- To identify you to anyone to whom you send messages or invitations through or in connection with the Platform, including messages and invitations that we may send on your behalf.
- To facilitate business transactions, business relationships and the resolution of disputes and other issues by, within or among Company, Company's related legal entities, publishers, licensees and others.
- To our related legal entities for all uses permitted under this Privacy Policy (including for such related legal entities to send marketing communications to you), unless you opt-out in accordance with the *Choices and Access* section below.
- By you, through messages, chats, message boards, forums, public profile pages, user directories and blogs and other functionality with which you are able to share or post information and materials. Please note that any information and materials that you post or disclose using such functionality will become public information, and may be available for other users of the Platform and the general public to access, use, alter, manipulate or disclose. We are not responsible for such access, use, alteration, manipulation or disclosure. We urge you to be very careful when deciding to disclose your Personal Information, or any other information, in connection with the Platform.
- To a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceeding).
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our related legal entities; (f) to protect our rights, privacy, safety or property, or that of our related legal entities, service providers, members, you or others, including through credit-fraud protection and risk reduction; (g) at our discretion under emergency circumstances; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

E. Collection, Use and Disclosure of Other Information.

Other Information We May Collect

“Other Information” is any information that does not reveal a person's specific identity, such as:

- Browser information.

- Server log files.
- Statistics concerning messages sent or received through the Platform, such as the length of such messages, the IP Addresses involved and other technical parameters.
- Information collected through cookies, pixel tags and other technologies.
- Browsing analytics.
- Demographic information.
- Aggregated information.
- Physical location data.
- Information relating to a corporation, partnership or other business entity.

How We May Collect Other Information

We and our third-party service providers may collect Other Information in a variety of ways, including:

- **Through your device:** Certain information is collected automatically through your device, such as your operating system name and version, device manufacturer and model, device identifiers, language, and the name and version of the software application you are using.
- **Through server log files:** Your “IP Address” is a number that is automatically assigned to the device that you are using by your Internet Service Provider (ISP). An IP Address is identified and logged automatically in our server log files whenever a user uses the Platform, along with the time of the use and the pages or areas visited within the Platform. Collecting IP Addresses is standard practice on the Internet and is done automatically by many websites. We and our third-party service providers use IP Addresses for purposes such as helping to calculate usage levels of the Platform, diagnose server problems and administer the Platform.
- **Using cookies:** Cookies allow a server to transfer data to a device for recordkeeping and other purposes. We and our third-party service providers use cookies and other technologies to, among other things, better serve you with more tailored information and facilitate your ongoing access to and use of the Platform, as well as for online tracking purposes. If you do not want information collected through the use of cookies, there is a simple procedure in most devices that allows you to decline the use of cookies. If you choose to decline cookies, some or all of the features, functionality and promotions available through the Platform may not be available to you.
- **Using pixel tags and other similar technologies:** Pixel tags (also known as web beacons and clear GIFs) and other similar technologies may be used in connection with some pages and areas of the Platform and HTML-formatted e-mail messages to, among other things, track the actions of users of the Platform and e-mail recipients, measure the success of our marketing campaigns and compile statistics about usage and response rates of the Platform.

- **Physical Location:** We may collect the physical location of your device by, for example, using satellite, cell phone tower or WiFi signals. We may use your device’s physical location to provide you with personalized location-based services and content. We may also share your device’s physical location, combined with information about what advertisements you viewed and other information we collect, with our marketing partners to enable them to provide you with more personalized content and to study the effectiveness of advertising campaigns. In some instances, you may be permitted to allow or deny such uses and/or sharing of your device’s location, but if you choose to deny such uses and/or sharing, we and/or our marketing partners may not be able to provide you with the applicable personalized services and content.
- **From you:** We may collect demographic information such as, for example, your age, occupation and family status, as well as other information when you voluntarily provide such information to us. We may also collect such information about you from third parties. Unless combined with Personal Information, this information does not personally identify you or any other user of the Platform.
- **By aggregating information:** Aggregated Personal Information does not personally identify you or any other user of the Platform. For example, we may aggregate Personal Information to calculate the percentage of our users who have a particular telephone area code.

How We May Use and Disclose Other Information

Because Other Information does not personally identify you, we may use and disclose Other Information for any purpose. In some instances, we may combine Other Information with Personal Information (such as combining your zip code with your name). If we combine any Other Information with Personal Information, the combined information will be treated by us as Personal Information as long as it is so combined.

F. Third Party Advertisers.

We may use third-party advertising companies to serve ads when you visit the Platform. Please note that these companies may use information about your visit to the Platform to provide ads about goods and services that may be of interest to you. In the course of serving ads to the Platform, these companies may place or recognize a unique cookie on your browser. If you would like more information about this practice, and to know your choices about not having this information used by these companies, please visit http://networkadvertising.org/optout_nonppii.asp.

G. Social Plugins.

Certain areas of the Platform may make available certain third-party social media functionality, such as the Facebook “Like” or Google “+1” buttons (“Social Plugins”). Such Social Plugins, and any third-party collection, use and disclosure of any information through or in connection with such Social Plugins, are subject to the applicable third party’s privacy policies, which may differ from this Privacy Policy. For example, a Social Plugin provider may be able to collect information about you through such Social Plugin, including your activity on the Platform, and such provider may disclose information on the applicable social network about your use of the Platform. Social Plugins may also employ unique identifiers that allow your activity to be monitored across multiple websites by such providers and other third parties, including for purposes of delivering targeted advertising to you.

H. Do Not Track Signals.

We note that the Platform will continue to operate as described in this Privacy Policy, whether or not a “Do Not Track” signal or similar mechanism is received from your browser.

I. Security.

We seek to use within Company reasonable organizational, technical and administrative measures to protect Personal Information under our control. Unfortunately, no data transmission over the Internet or data storage system is guaranteed to be 100% secure. Please also be aware that we may use third-party cloud service providers that provide hosting, data storage and other services pursuant to standard terms and conditions that are generally non-negotiable; accordingly, although we seek to conduct reasonable due diligence on such service providers, we may be unable to impose contractual obligations on them with respect to the measures they use to protect Personal Information. We are not responsible for the data security measures of any third parties.

If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us via Company’s Contact page.

J. Choices and Access.

We give you many choices regarding our use and disclosure of your Personal Information for marketing purposes. You may opt-out from:

- **Receiving marketing-related e-mails from us based upon your Personal Information:** If you no longer want to receive marketing-related e-mails from us on a going-forward basis based upon Personal Information collected pursuant to this Privacy Policy, you may opt-out of receiving such marketing-related e-mails by contacting us via Company’s Contact page, or by clicking the “unsubscribe” link that is included at the end of such marketing-related e-mails. Please note that commercial e-mails regarding opportunities for publishers to participate in licensing arrangements do not constitute “marketing-related” e-mails.
- **Our sharing of your Personal Information with related legal entities for their marketing purposes:** If you would prefer that we do not share, on a going-forward basis, your Personal Information collected pursuant to this Privacy Policy with our related legal entities for their marketing purposes, you may opt-out of such sharing by contacting us via Company’s Contact page.

We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of our sharing of Personal Information with related legal entities for their marketing purposes, as described above, we will not be able to remove your Personal Information from the databases of any such related legal entities with which we have already shared your Personal Information (*i.e.*, to which we have already provided your Personal Information as of the date that we implement your opt-out request). Please also note that if you do opt-out of receiving marketing-related e-mails from us, we may still send to you administrative messages, messages related to the fulfillment of our products and services, and messages that are sent to you in your capacity as a representative of your business entity; you cannot opt-out from receiving such messages.

How You Can Access Your Personal Information

If you would like to review or update your Personal Information that has been previously provided to us, you may do so by logging into your account within the Platform, or, for certain Personal Information that is not reviewable through the Platform, you may contact us via Company's Contact page.

We will try to comply with your request to update your Personal Information as soon as reasonably practicable. We are not responsible for changing information in the databases of third parties with whom we have already shared your Personal Information.

K. No Use of the Platform by Minors.

The Platform is not directed to individuals under the age of thirteen (13), nor are such individuals permitted to use the Platform; accordingly, we request that such individuals do not provide Personal Information in connection with the Platform. If you are the parent or guardian of such an individual who has disclosed Personal Information to us in connection with the Platform, please contact us via Company's Contact page, and we will exercise commercially reasonable efforts to remove such information from our databases and storage systems; we are not liable, however, for any consequences of such information, including any delay or failure to remove such information.

L. Where We Process and Store Information

Your Personal Information may be stored and processed in any country where we have facilities or in which we engage service providers, and, by using the Services, you consent to the transfer of information to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country. In certain circumstances, courts, law enforcement agencies, regulatory agencies, or national security authorities in those other countries may be entitled to access your Personal Information.

If you are located in the European Economic Area (EEA): Some of the non-EEA countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards. The full list of these countries is available from the European Commission's [website](#).

Currently, we utilize the services of SESAC, Inc. for our data processing needs. SESAC, Inc., based out of and operating within the United States of America, participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework, to ensure adequate data protection measures are in place with respect to the data we share with SESAC, Inc. For more information about SESAC, Inc.'s participation in the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield List at <https://www.privacyshield.gov/list>. SESAC, Inc. is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield web site at <https://www.privacyshield.gov>. For more information about SESAC, Inc., including reviewing its Privacy Policy, visit its website at <https://www.sesac.com/>.

M. Retention Period.

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or allowed by law.

N. Your California Privacy Rights.

California Civil Code Section 1798.83 permits customers of Company who are California residents to request certain information regarding Company's disclosure of personally identifiable information to third parties for their direct marketing purposes. To make such a request, please write us at:

Client Services
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